



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,755	06/29/2001	Mami Uchida	SONYJP 3.0-184	1030

7590 11/29/2005  
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090-1497

EXAMINER
----------

CHOWDHURY, SUMAIYA A

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/895,755	<b>Applicant(s)</b> UCHIDA ET AL.	
	<b>Examiner</b> Sumaiya A. Chowdhury	<b>Art Unit</b> 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

27

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Wehmeyer (6169543).

As for claims 1 and 7, Wehmeyer discloses:

A reservation information setting apparatus, comprising:

schedule table forming means for controlling the display of a schedule table that includes calendar information – Fig. 6; col. 16, lines 4-16, col. 11, lines 37-41, col. 12, lines 49-51;

date selection accepting means for accepting a selection input of a target date in said schedule table – col. 14, lines 10-15;

schedule information accepting means for accepting an input of user schedule information for said target date – Fig. 5A; col. 12, lines 59-63, col. 13, lines 42-51, col. 14, lines 4-15, col. 16, lines 50-65;

reservation information accepting means for accepting an input of reservation information for a broadcast program on said target date – col. 12, lines 13-17; and said user schedule information representative of a number of events pertaining to a user which are not related to broadcast programs – (i.e. personalized calendar function such as a reminder to “Call Mom”; col. 12, lines 49-51, lines 59-60, col. 13, lines 41-50, col. 16, lines 50-65).

As for claims 2 and 8, Wehmeyer discloses:

display instruction accepting means for accepting an input of an instruction to display a broadcast program guide corresponding to said target date if said selection input of said target date is accepted by said date selection accepting means (The schedule of the broadcast activity corresponding to the date selected by the subscriber is displayed on the displayed screen – i.e. 7/22/97 in Fig. 6); and

broadcast program guide forming means for forming a signal for displaying said broadcast program guide if said input of said instruction to display said broadcast program guide is accepted by said display instruction accepting means – col. 5, lines 31-44, lines 57-67;

wherein said reservation information accepting means accepts said input of said reservation information through said broadcast program guide – col. 12, lines 12-17.

As for claims 3 and 9, Wehmeyer discloses wherein said displayed schedule table includes said user schedule information for said target date and said reservation

Art Unit: 2611

information for said broadcast program on said target date – col. 14, lines 4-15, col. 12, lines 13-17.

As for claims 4 and 10, Wehmeyer discloses wherein said broadcast program guide is based on program guide information included in a broadcast signal – col. 4, lines 38-42.

Claim 5 contains limitations of claim 1 and is analyzed as previously discussed with respect to that claim. Claim 5 additionally calls for the following:

said reservation information including said target date and a broadcast time on said target date – col. 11, lines 11-17;

reservation information storing means for storing said reservation information for said broadcast program on said target date – col. 11, lines 11-17; and

viewing control means for controlling the display of said broadcast program upon arrival of said target date and said broadcast time in said stored reservation information – col. 12, lines 11-17.

Claim 6 contains limitations of claim 5 and is analyzed as previously discussed with respect to that claim. Claim 6 additionally calls for the following:

information signal storing means (electronic host device – set top box) for storing an information signal – col. 12, lines 12-18; and

Art Unit: 2611

recording control means for controlling the recording of said broadcast program in said information signal storing means upon arrival of said target date and said broadcast time in said stored reservation information – col. 12, lines 11-17.

Claim 11 contains limitations of claim 5 and is analyzed as previously discussed with respect to that claim.

As for claim 12, Wehmeyer discloses:

storing the reservation information for the broadcast program on the target date, the reservation information including the target date and a broadcast time on the target date – col. 12, lines 11-17; and

recording the broadcast program upon arrival of the target date and the broadcast time in the stored reservation information – col. 12, lines 11-17.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wehmeyer in view of Shteyn (09/802,618).

As for claims 13-16, Wehmeyer discloses setting personal reminders (such as "Call Mom") in an EPG system.

Wehmeyer fails to specifically disclose wherein the number of events includes a meal engagement and/or attendance at a concert.

In an analogous art, Shteyn discloses wherein the user schedules personal activities in advance such as dinner or attending a concert for the advantage of being reminded of future appointments – paragraph [0014].

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Wehmeyer's invention to include wherein the number of events includes a meal engagement and/or attendance at a concert, as taught by Shteyn, for the advantage of being reminded of future appointments.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2611


mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC

  
**CHRISTOPHER GRANT**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**